

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HUMAN SERVICES**

**Call to Order:** By **CHAIRMAN LOREN SOFT**, on January 13, 1999 at 3:00 P.M., in Room 104 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Loren Soft, Chairman (R)  
Rep. Roy Brown, Vice Chairman (R)  
Rep. Carolyn Squires, Vice Chairman (D)  
Rep. Chris Ahner (R)  
Rep. Edith Clark (R)  
Rep. Bob Davies (R)  
Rep. Tom Dell (D)  
Rep. Mary Anne Guggenheim (D)  
Rep. Chase Hibbard (R)  
Rep. Verdell Jackson (R)  
Rep. Billie Krenzler (D)  
Rep. Ralph Lenhart (D)  
Rep. Brad Molnar (R)  
Rep. Trudi Schmidt (D)  
Rep. Jim Shockley (R)  
Rep. Bruce Simon (R)  
Rep. Bill Thomas (R)  
Rep. Carol Williams (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** David Niss, Legislative Branch  
Jaelene Racicot, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

##### **Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 126 & HB 170  
Executive Action: HB 44 DO Pass 18-0

\*The meeting was recorded with a Sony B1-85.

REP SOFT explained to the committee in what order the bills would be heard. {Tape : 1; Side : A; Approx. Tape Counter : 0 - 14}

HEARING ON HB 170

Sponsor: REP. GAY ANN MASOLO, HD 40, introduced HB 170 and offered an amendment. **EXHIBIT** (huh09a01)  
{Tape : 1; Side : A; Approx. Tape Counter : 14 - 40}

Proponents:

John Chappuis, Bureau Chief in the Health Policy and Services Division of the Department of Public Health and Human Services. **EXHIBIT** (huh09a02)  
{Tape : 1; Side : A; Approx. Tape Counter : 40 - 69}

Beda Lovitt, Montana Medical Association {Tape : 1; Side : A; Approx. Time Counter : 69 - 81}

Bob Olson, MHA {Tape : 1; Side : A; Approx. Tape Counter : 81 - 92}

Sami Butler, Montana Nurses Association {Tape : 1; Side : A; Approx. Tape Counter : 92 - 99}

Opponents:

None

Questions from Committee Members and Responses:

{Tape : 1; Side : A; Approx. Tape Counter : 99 - 225}

Closing by Sponsor:

REP. MASOLO reserved the right to close.

EXECUTIVE ACTION ON HB 44

Motion: REP. HIBBARD moved HB 44 DO PASS. {Tape : 1; Side : A; Approx. Tape Counter : 225 - 246}

Discussion: Committee members discussed the bill. {Tape : 1; Side : A; Approx. Tape Counter : 246 - 276}

Substitute Motion/Vote: REP. HIBBARD made a substitute motion TO DELAY ACTION ON THE BILL UNTIL FURTHER NOTICE. The motion carried with REP. DAVIES voting no. {Tape : 1; Side : A; Approx. Tape Counter : 276 - 277}

**EXECUTIVE ACTION ON HB 85**

**EXHIBIT** (huh09a05) **EXHIBIT** (huh09a06) **EXHIBIT** (huh09a07) **EXHIBIT** (huh09a08) were given to committee after the hearing.

**Motion:** REP. SIMON MOVED HB 85 DO PASS. {Tape : 1; Side : A; Approx. Tape Counter : 277 - 284}

**Motion:** REP. SIMON moved a conceptual amendment to add "or lazer surgery". {Tape : 1; Side : A; Approx. Tape Counter : 284 - 303}

**Discussion:** Committee members discussed the amendment. {Tape : 1; Side : A; Approx. Tape Counter : 303 - 353}

**Vote:** The motion carried. {Tape : 1; Side : A; Approx. Tape Counter : 353 - 354}

**Discussion:** REP. SQUIRES asked David Niss about the amendment **EXHIBIT** (huh09a03).  
{Tape : 1; Side : A; Approx. Tape Counter : 354 - 384}

**Motion:** REP. SQUIRES moved an amendment. Exhibit 3 {Tape : 1; Side : A; Approx. Tape Counter : 384 - 385}

**Discussion:** Mr. Niss explained the amendment. {Tape : 1; Side : A; Approx. Tape Counter : 385 - 416}

Committee members continued to discuss the amendment. {Tape : 1; Side : A; Approx. Tape Counter : 416 - 515} Questioning by committee members continued. {Tape : 1; Side : B; Approx. Tape Counter : 0 - 25}

REP. SIMON moved to reconsider action and insert para (C) to his conceptual amendment. The motion carried. {Tape : 1; Side : B; Approx. Tape Counter : 25 - 34}

REP SQUIRES moved an amendment Exhibit 3 again. {Tape : 1; Side : B; Approx. Tape Counter : 34 - 41}

**Discussion:** Committee members discuss the amendments to the bill. {Tape : 1; Side : B; Approx. Tape Counter : 41 - 102}

**Substitute Motion:** REP. MOLNAR made a substitute motion DO NOT PASS ON THE AMENDMENT. **Vote:** Motion failed 5-13. A roll call vote was taken. {Tape : 1; Side : B; Approx. Tape Counter : 102 - 108}

**Discussion:** Committee members discuss the bill. {Tape : 1; Side : B; Approx. Tape Counter : 108 - 157}

**Motion:** REP. SQUIRES moved an amendment. See Exhibit 3 {Tape : 1; Side : B; Approx. Tape Counter : 157 - 158}

**Discussion:** {Tape : 1; Side : B; Approx. Tape Counter : 158 - 210}

**Substitute Motion:** REP. SIMON made a substitute motion TO DELAY ACTION ON HB 85 TIL FURTHER NOTICE. The motion carried with REP. Jackson voting no. {Tape : 1; Side : B; Approx. Tape Counter : 210 - 239}

REP. SOFT asked REP. JOHNSON about the need to amend HB 44 before it would go to the House floor. REP. JOHNSON stated there was no need to amend the bill. {Tape : 1; Side : B; Approx. Tape Counter : 239 - 267}

**Motion/Vote:** REP. KRENZLER moved HB 44 DO PASS. Motion carried unanimously. A proxy vote from REP. HIBBARD noting favorable passage of HB 44. {Tape : 1; Side : B; Approx. Tape Counter : 267 - 302}

#### **HEARING ON HB 126**

**Sponsor:** REP. ROYAL JOHNSON, HD 10, introduced the bill. {Tape : 1; Side : B; Approx. Tape Counter : 302 - 515}

**Proponents' Testimony:** Nancy Ellery, Dept. of Public Health and Human Services, handed in testimony from Drew Dawson. See **EXHIBIT** (huh09a04) {Tape : 2; Side : A; Approx. Tape Counter : 0 - 49}

Marc Borke, M.D., American Heart Association, {Tape : 2; Side : A; Approx. Tape Counter : 49 - 113}

Paul Caisy, American Heart Association, {Tape : 2; Side : A; Approx. Tape Counter : 113 - 195}

REP. TONI HAGENER, HD 90, stated she was in support of the bill. {Tape : 2; Side : A; Approx. Tape Counter : 195 - 223}

Sami Butler, Montana Nurses Association, {Tape : 2; Side : A; Approx. Tape Counter : 223 - 233}

Pat Clinch, MSCPFF, {Tape : 2; Side : A; Approx. Tape Counter : 233 - 258}

REP. CHRIS AHNER, HD 51, {Tape : 2; Side : A; Approx. Tape Counter : 258 - 264}

Jani McCall, City of Billings, {Tape : 2; Side : A; Approx. Tape Counter : 264 - 271}

Beda Lovitt, Montana Medical Association, {Tape : 2; Side : A; Approx. Tape Counter : 271 - 278}

Jim Ahrens, Montana Hospital Association, {Tape : 2; Side : A; Approx. Tape Counter : 278 - 281}

Reed Redman, Montana Emergency Medical Service, {Tape : 2; Side : A; Approx. Tape Counter : 281 - 303}

Opponents' Testimony: Al Smith, Montana Trail Lawyers Association, {Tape : 2; Side : A; Approx. Tape Counter : 303 - 393}

Questions from Committee Members and Responses: {Tape : 2; Side : A; Approx. Tape Counter : 393 - 515} Committee members continued questioning. {Tape : 2; Side : B; Approx. Tape Counter : 0 - 401}

Closing by Sponsor: REP. JOHNSON closed. {Tape : 2; Side : B; Approx. Tape Counter : 401 - 483}

CHAIRMAN SOFT told the committee to mark their calendar for an upcoming meeting. {Tape : 2; Side : B; Approx. Tape Counter : 484 - 500}

**ADJOURNMENT**

Adjournment: 5:05 P.M.

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REP. LOREN SOFT, Chairman

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JAELENE RACICOT, Secretary

LS/JR

**EXHIBIT** (huh09aad)